

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Joaquin Foy,

Petitioner,

v.

Civil No. 14-5063 (JNE/LIB)  
ORDER

Warden B.R. Jett and United States of  
America,

Respondents.

In May 2014, Joaquin Foy filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. In June 2014, the Court stated that his petition was “difficult to decipher”; that Foy had “filed a number of habeas corpus petitions in other district courts challenging his detention”; and that those courts had already “considered and rejected all of the bases for relief that Foy assert[ed] here.” The Court discerned nothing in Foy’s petition that had not already been rejected on the merits by other district courts.

Concluding that justice would not be served by considering his claims again, the Court declined to entertain Foy’s petition. Foy appealed, and the United States Court of Appeals for the Eighth Circuit affirmed. Approximately one month after the Eighth Circuit had affirmed, the Court denied Foy’s “motion of rebuttal.” Foy appealed, and the Eighth Circuit affirmed.

In December 2014, approximately three weeks after the Court had denied Foy’s “motion of rebuttal,” Foy filed another petition for a writ of habeas corpus under 28 U.S.C. § 2241. In a Report and Recommendation dated January 6, 2015, the Honorable Leo I. Brisbois, United States Magistrate Judge, recommended that the petition be denied,

that Foy's motion to proceed *in forma pauperis* be denied as moot, and that this action be dismissed. No objection to the Report and Recommendation has been made within the time permitted.

As the magistrate judge recognized, Foy's petition is difficult to decipher. The Court discerns no claims that have not been previously rejected, and justice would not be served by considering them anew. The Court declines to entertain Foy's petition. *See Foy v. Jett*, Civil No. 14-1518 (D. Minn. June 26, 2014), *aff'd*, No. 14-2695 (8th Cir. Oct. 31, 2014).

Based on the files, records, and proceedings herein, and for the reasons stated above, IT IS ORDERED THAT:

1. Foy's petition for a writ of habeas corpus [Docket No. 1] is DENIED.
2. Foy's motion to proceed *in forma pauperis* [Docket No. 3] is DENIED.
3. This action is DISMISSED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 3, 2015

s/Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge